



## Minutes

### WATER RESOURCES ADVISORY COMMISSION

#### Monthly Meeting

June 04, 2015, 9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

Attendee Name	Title	Status
James J. Moran	Chairman	Present
Kevin Powers	Vice-Chairman	Present
Melanie Peterson	Governing Board Member	Present
Douglas Yoder	Alternate	Present
D. Albrey Arrington	Utility	Present
Shelley Vana	Local Government	Present
Douglas Bournique	Agriculture	Present
Bob Ulevich	Alternate for Doug Bournique	Present
Jeff Scott	NRCS / Federal	Absent
Jim Reynolds	Utility	Absent
Kurt Harclerode	Alternate for Pam Keyes	Present
Michael Harford	Local Government	Present
Mark Perry	Environmental	Present
James Humble	Agriculture	Present
William "Chad" Kennedy	FDEP	Present
John T. Lamkin	NOAA / Federal	Absent
Joan Lawrence	US DOI / Federal	Present
Barbara Miedema	Agriculture	Present
Linda McCarthy	Alternate for Bubba Wade	Present
Kimberly Lawrence	Alternate for Michael Harford	Present
Newton Cook	Public Interest	Present
Mary Ann Martin	Public Interest	Present
Brian L. Wheeler	Utility	Present
Joe Capra	Business	Present
Michael Collins	Public Interest	Present
Mark Dombroski	Alternate for Newton Cook	Absent
James Erskine	Miccosukee Tribe	Present
John Lesman	Business	Present
Ashley Tripp	Alternate for Mary Ann Martin	Absent
Wovoka Tommie	Seminole Tribe	Absent

Malcolm "Bubba" Wade	Agriculture	Present
Jacqui Thurlow-Lippisch	Alternate for Joe Capra	Present
Neale Montgomery	Business	Present
Harry Raucher	Utility	Present
Pat Martin	Alternate for Harry Raucher	Present
Joshua Kellam	Business	Present
Erin Deady	Environmental	Absent
Adam Gelber	Public Interest	Absent
Jason Liechty	Alternate	Present
Mike Sweeney	Alternate for Brian Wheeler	Present
Pam Keyes	Utility	Absent
Jenny Conner Nelms	Environmental	Absent
Nancy Payton	Environmental	Absent
W. Scott Ray	FDACS / Statewide	Present
Karson Turner	Local Government	Present
Tabitha Cale	Environmental	Present
Jill Hoog	Business	Present
Ernie Marks	State Government	Absent
Mark Generales	Business	Present
Matt Davis	Business	Absent
Barron Moody	Alternate for Ernie Marks	Absent
LTC Jennifer Reynolds	USACE/ Statewide	Present

## 1. **Call to Order - James J. Moran, WRAC Chairman**

Mr. Moran called the meeting to order at 9:01 am and introduced Governing Board members Melanie Peterson and Kevin Powers, WRAC Vice Chair. Mr. Moran reminded members with expiring appointments who were interested in continuing to serve to make sure that Tia is aware of their continued interest. Mr. Moran introduced Lieutenant Colonel Jennifer Reynolds who is taking the place of retired LTC Tom Greco and Mark Generales, new member appointed by Governing Board Member Rick Barber.

## 2. **WRAC Member Issues**

Newton Cook, United Waterfowlers, invited members to attend WRAC Recreational Issues Workshop being held at District headquarters on June 15<sup>th</sup>. Mr. Cook announced the loss of Marianna Jones who worked with Art Marshall and others to save over \$1 million acres of Florida natural lands.

Jill Hoog, Keyes Realty, said there have been some water related problems such as loss of wells and drying ponds out west that are connected with the L-8 project and understood some testing has been conducted with some follow up testing planned for the future. Ms. Hoog stated she has been told that there is no historical data in this area to work with and she is concerned that a culvert will need to be installed to help with the removal of high water, but now there is a concern with low-water levels and the lack of historical data to back up what the pre-existing conditions were prior to the project. Ms.

Hoog said she would appreciate any help that can be given to residents. Ms. Hoog asked if Incremental Test 1 in Everglades National Park (Park) had been completed.

James Humble, Miami-Dade Agricultural Practices Advisory Board, welcomed LTC Reynolds to her new job and invited her to South Dade to visit some of the farmers and gain their point of view of some of the issues being faced in the region.

Albrey Arrington, Loxahatchee River District, asked District staff for a brief update on Mecca and the approach to interim strategies.

Mark Generales, Southern Trust Financial, introduced himself as a resident who lives along the Caloosahatchee River and said he looked forward to working with WRAC members. Mr. Generales continued that the releases issue was near and dear to him and found it extraordinary the USACE is currently releasing waters to the Caloosahatchee allowing the waters on Sanibel to remain clear. Mr. Generales continued the economy in Lee and Collier counties is tied to what happens with the water and the recent releases have contributed to keeping the Caloosahatchee at the level it needs to be to protect the economic benefits provided by a clear waterway.

Mayor Shelley Vana, Palm Beach County Board of County Commissioners, said Palm Beach County is in the process of installing equipment that keeps particulates and silt from coming into the Lake Worth Lagoon. Mayor Vana would like to further discuss the project as another tool being enlisted to help protect water bodies such as lagoons and estuaries.

James Erskine, Miccosukee Tribe of Indians, stated that the agenda topics concerning Adaptive Protocols (AP) and the USA case are very timely especially when water levels are low they reveal situations in Water Conservation Area 3 (WCA3) where the canal system such as the L-28 Interceptor canal gets to very low levels causing the water to become turbid and algae blooms become prevalent. Mr. Erskine said similar conditions can be noted downstream of the S12 structures which are flowways and compliance points for Miccosukee water quality standards. Mr. Erskine continued that these situations develop when structures have been closed for long periods of time, the water levels drop, high light input at this time of the year and there is low rainfall which are major concerns as these are areas where the Tribe fishes, recreates and is located on federal reservation lands.

Kurt Harclerode, Lee County Natural Resources - Alternate for Pam Keyes, said there is a significant algal bloom occurring on the Caloosahatchee River just upstream of the Franklin locks in the freshwater area of the River. Mr. Harclerode commented that this was indicative of the problem. Mr. Harclerode said local citizens have been asking county officials if the bloom was something that could be treated topically, however it is unclear if it would make fiscal sense to expend resources on this problem. Mr. Harclerode continued there is a need to move forward with the projects that are planned and engineered, such as the C-43 reservoir and the BOMA water quality site. Mr. Harclerode stated staying the course and getting these projects in the ground will lead to visible results.

Joe Capra, CAPTEC Engineering, Inc., said he was appointed to the WRAC to help represent business interests and read some statements from the Martin County Economic Council in light of the special legislative session related to continuing to place pressure on legislators to move forward and fund CERP, CEPP, Lake Okeechobee (Lake) and Herbert Hoover Dike repair and related projects. The text also called for District staff to devise a plan to identify lands needed to move forward with projects and provide additional storage and treatment by the end of 2015 for acquisition in 2016.

Karson Turner, Hendry County Commissioner, welcomed LTC Reynolds and hoped that the USACE would be providing a dam study update at an upcoming meeting in Okeechobee. Commissioner Turner reported that Lake levels are low and a lot of muck is currently exposed.

Mary Ann Martin, Roland Martin Marina, welcomed the new LTC and offered her a boat ride to see Lake Okeechobee and become familiar with the issues being dealt with there. Ms. Martin said that currently helicopters are spraying the Lake full of chemicals and suggested that a burn be conducted as soon as the spray is complete so that the debris left behind does not settle into the water and destroy the wildlife habitat. Ms. Martin encouraged Fish and Wildlife to work with the Forestry Service to coordinate a burn on the Lake in the near future while the window of opportunity is open. Ms. Martin advocated for some equipment that can manually remove hyacinth and compress it to avoid the use of so many chemicals.

Neale Montgomery, Pavese Law Firm, said last month Mr. Guillory said he would report on the Miami-Dade agriculture situation and asked for an update. Mr. Moran said that this item may be addressed during the staff reports portion of the agenda.

Newton Cook said spraying taking place by Indian River Prairie Canal of about five thousand acres and three sections is targeting cattails and emergent growth and expects the spray to be followed up by a burn which will result in a nice marsh area within the next year. Mr. Cook agreed with Ms. Martin and stated that taking advantage of conducting a burn while Lake levels are low is an excellent idea and an opportunity is missed for the habitat if a burn does not take place.

Tabitha Cale, Audubon Florida, pointed out the great partnership between the District and Audubon's local chapters who worked in coordination on leading trips into the Stormwater Treatment Areas (STA). Ms. Cale said an article ran this month in the national Audubon magazine highlighting the two trips where flamingos were seen which provided nice coverage in the national magazine. Ms. Cale reiterated Audubon's appreciation for the partnership which allows public access and getting people out there to see birds and other natural wildlife. Ms. Cale mentioned she asked at last month's meeting for a presentation highlighting the goal of the incremental testing in South Dade in terms of ecological benefits. Ms. Cale would like to see a good presentation on that topic since many of the presentations that have been given have focused on concerns about flooding in south Dade but WRAC should be focused on balancing different interests. Ms. Cale continued it is exciting to see these projects getting to the point where they are close to operating and it would be nice to see a presentation that goes over the goals of what should be seen in a final operating plan, what the ecological benefits should be and why restoration projects should move forward in general. Ms.

Cale said as the finish line gets closer to actually operating these features it would be worthwhile to see something that clearly outlines why projects are getting done, what ecological benefits should be and the expected changes that will occur in that part of the system.

#### Public Comment

None

### **3. Overview of District Flood Control Operations and Wet Season Readiness – Joel Arrieta, Bureau Chief, North Field Operations, Field Operations and Land Management Division, SFWMD**

#### WRAC Member Comment

Mr. Moran stated the agency's operations and maintenance staff are the heart and soul of the District's mission of flood control and without this team we would be in trouble as this is the most important function.

Barbara Miedema, Sugar Cane Growers Cooperative of Florida, agreed with Mr. Moran by stating the operations and maintenance team are the heart of the District's operation and faces the challenge with many of the structures being between thirty and fifty years old. Ms. Miedema said that her company's operations typically work hand and glove along with the District's structures and operations so she knows how critical this function is. Ms. Miedema stated she hoped that the OM program is being adequately funded so that the District can continue to provide an appropriate level of flood protection in the future to keep up with operations and capital improvements. Ms. Miedema thanked OM staff and relayed her appreciation for their hard work.

Mary Ann Martin expressed her appreciation for OM staff and said she has a lot of boaters using the Okeechobee waterway that want to know if Route B in the Belle Glade area is safe. Mr. Arrieta replied that is a navigational question that should be directed to the USACE. Ms. Taplin said she would check on the status of Route B and report back to Ms. Martin. Ms. Taplin stated she is aware there are some issues with getting maintenance funds for the Okeechobee waterway as it competes nationwide for these funds.

Shelley Vana thanked OM staff for making sure things work as they should as the County rarely gets any calls that report negatively the operation of the District's flood control system. The Mayor said that many people may not appreciate the kind of hard work and dedication of staff who work diligently to make sure that citizens are safe from flooding.

Karson Turner said that as a County Commissioner, he is often the first to receive a call when something is going wrong and the lack of understanding of the difference between the District and 298 Districts; however, because he knows the work that is being done he is able to defend the District. Commissioner Turner stated that as a contractor that works with FDOT and other agencies across the state, the District puts forth a level of professionalism and a level of maintenance throughout its infrastructure that is second

to none. The Commissioner stated from an economic development perspective the District is an economic engine especially in Hendry and Glades counties and the District is a necessary entity that is essential to their economic portfolio.

Joe Capra congratulated OM staff on the good work they do in adverse conditions. Mr. Capra said he recognizes there is sometimes a conflict between citizens who want to keep vegetation and the District who works to ensure canals are kept clear and since the system was designed to work without impediments it is important that the Governing Board works with staff to ensure canals are clear and operations run as designed. Mr. Capra also stated he hopes the District works closely with local governments to share expertise and provide guidance. Mr. Capra asked what portion of the District's annual budget goes towards OM activities.

Tabitha Cale said she had an opportunity to participate in a site visit to a structure that was being repaired and it was amazing to see all of the work that goes into maintaining and running the flood control infrastructure including the staff that dive into alligator infested waters to make sure everything is working as it should. Ms. Cale said OM is one of the parts of the organization that many people do not see but is clearly valuable and incredibly important. Ms. Cale applauded OM efforts to develop a model that plots replacement and refurbishment activities over time and making sure that a good value is obtained from the infrastructure that is in place. Ms. Cale commended the District for considering climate change and sea level rise concerns in OM activities.

James Erskine said the Tribe interacts regularly with District field staff on cooperative projects and said staff is always professional and work positively with the Miccosukee community, and as water resource manager it is comforting to know that the job is being done right. Mr. Erskine said great extents are taken to protect water quality when work is being completed on or around the Reservation including the care taken by divers to anchor turbidity barriers in the canals at a level that is not typical from other entities and these efforts are appreciated. Mr. Erskine commented that as Everglades Restoration progresses he hopes there is a great effort to communicate flood control objectives and staff objectives with usage objectives.

#### Public Comment

None

#### **4. United States of America v. South Florida Water Management District, et. al, Case No. 88-CIV-1886-Moreno (S.D. Fla.) - Kirk Burns, General Counsel, SFWMD**

#### WRAC Member Comment

Mr. Moran stated that this case is more than dry litigation and should be important to those the live in and pay taxes in South Florida. Mr. Moran discussed the great success story this lawsuit has become as over the past fifteen or twenty years, the District has constructed STAs and other plans in compliance with the lawsuit to reduce the phosphorus in the water moving south from approximately 200ppb fifteen to twenty years ago down to less than 20ppb and in many cases less than 10ppb, 12 ppb or 13ppb today and everyone associated with this success should be very proud. Mr.

Moran stated in addition to the water quality, it is important to note that Florida taxpayers have invested \$2B plus an additional \$880M a few years ago meant to fine tune phosphorus removal so it is important for those reasons and it is important because compliance to Appendix A limits the District's ability to move water south.

Shelley Vana said that this presentation provides a clearer understanding of what has happened and what projects have been completed as a result of the case which better prepares elected officials to address constituents who complain that nothing has been happening towards restoration progress. Mayor Vana said the collaboration that has taken place as a result of this process should be used as an example of how diverse groups can come together to accomplish big things and is a story that should be retold again and again.

Mike Collins, Florida Keys Fishing Guides Association/Florida Bay Initiative, stated that there is an assumption of inevitability when people look back on ancient history, or the belief that events had to unfold the way they did. Mr. Collins continued in the history of American jurisprudence he believes this is the longest serving consent agreement that has ever existed. Mr. Collins said there are things that could have happened differently in the past that would have headed off most of this. Mr. Collins said Dexter Lehtinen, a Board Member, and legal representative for the Florida Bay Initiative at the time, filed the lawsuit in his own words because the state was not in compliance with its own water quality standards, and there was a concern that would eventually impact federally owned assets. Mr. Collins said the concern was the spread of cattails that was taking place around the canals would eventually spread to the interior of the remnant Everglades, WCAs and Everglades National Park and the Refuge. Mr. Collins said he believes very strongly the Water Management District could have headed off the lawsuit by agreeing to commit to comply with state law and the Clean Water Act. Mr. Collins said at the time they did not want to do that for a variety of reasons so the result is a consent agreement that has gradually become one of the major problems with restoring the Everglades. Mr. Collins said he believes the concern about the march of phosphorus has been addressed and agreed with Mayor Vana that this is an incredible success story that gets no press because an entire industry has developed within the federal bureaucracy and their NGOs dedicated to making sure that this continues to be a consent agreement. Mr. Collins said he did not support this in the 1980s and has continued in that belief for twenty years because now there is an attempt to rehydrate the Everglades and parts per billion is keeping this from happening which has nothing to do with the way the natural system functions but because there is a consent agreement and a contract signed by the State, water cannot be put into a lot of the places within the system that needs water. Mr. Collins said the system is allowed to be managed in a way that does not allow the more serious issues to be addressed, instead it must be managed according to a document created twenty five years ago. Mr. Collins said this is a cautionary tale for those who will be working on these types of issues in the future, that problems are best dealt with right away and there is a concern about how to close the consent agreement and get back to dealing with the actual needs of the ecosystem and the needs of the surrounding community rather than adhering to a contract written twenty five years ago. Mr. Collins said the Technical Oversight Committee (TOC) and the Principals have never modified the agreement and force majeure becomes inconsequential when in 2005 or 2006 three hurricanes went across the refuge and the courts ruled that the hurricanes did not fall under force majeure. Mr. Collins said it is

important not to end up in another situation like this in the future where a contract makes the decisions as opposed to reality.

Barbara Miedema said she listened to a South Florida Ecosystem Restoration Task Force (SFERTF) meeting last month in Washington DC where Eric Bush of the USACE did an excellent presentation on the Everglades Restoration Transition Plan (ERTP) which discussed how water quality improvements have been happening and how impacted sites have transitioned into un-impacted sites, so the ecosystem has been improving and is showing improvement throughout which is important to keep in mind when looking at minor exceedances which should not get in the way of continuing to move progress forward, implement Restoration Strategies and get the rest of the way there. Ms. Miedema said a train wreck is getting ready to happen due to single species management of the Cape Sable Seaside sparrow which is protected under the Endangered Species Act and will keep water from flowing into Everglades National Park which is opposition to the ERTP which states more water is going to flow into the Park which suggests that the District will be out of compliance with Appendix A limitations. Ms. Miedema said the Principals need to wrap their hands around Appendix A and figure out what needs to be done so water can be sent south and all of the other projects and goals that stakeholders have worked hard to achieve over the last twenty years. Ms. Miedema encouraged attendees to watch Mr. Bush's presentation which can be found on the [evergladesrestoration.gov](http://evergladesrestoration.gov) website.

Newton Cook said twelve years ago this law was relatively fresh and the STAs were not intended to allow for public access but today there are many opportunities to use STAs for duck hunting. Mr. Cook said there is pressure today to add more opportunities for hunting and birding and hopes that areas will continue to be opened to allow for public access. Mr. Cook said it is important to remember that public access may again be limited according to the consent agreement's clause that stipulates intense management of the STAs must commence at elevated phosphorus levels. Mr. Cook thanked the District and Land Management staff for taking the risk of allowing public access.

Malcolm "Bubba" Wade, US Sugar Corporation, agreed with Mayor Vana that people do not have an understanding of all of the work that has taken place over the last twenty years and recently provided a presentation to his Board outlining all of the lawsuits, technical mediation plans, CERP, Governor's Commission, and legal acts such as the Everglades Forever Act (EFA). Mr. Wade said most would be shocked at the time and level of effort and money that has gone into moving southern Everglades Restoration progress to where it is today. Mr. Wade referred to Mr. Burns' presentation and the slide representing exceedances in the Refuge and the Park and said people should be mindful of the margin of error in lab samples and said in phosphorus it could be  $\pm 2$  and looking at the Refuge fourteen stations are being averaged, so statistically using plus or minus two would make the numbers go all over the map. Mr. Wade said what the numbers say should be carefully considered as four of the stations are measuring less than 10ppb and there is a fight over .2ppb – there is a continued conflict over 7.9ppb vs 8.1ppb. Mr. Wade said when water that is coming into the Lake is measuring 300ppb to 400ppb and going out of the Lake at 100ppb to 150ppb so it does not make sense to go to court over .2ppb. Mr. Wade stated something is wrong with the process. Mr. Wade said if you look at the numbers in the Refuge, fourteen stations are below 10ppb which



is a success story that needs to be publicized and south of the Lake projects should be used as a model to address what is occurring east, west and north of the Lake. Mr. Wade commented the state and the federal government has been working this issue and coming up with solutions for twenty five years and terms such as adaptive management which began with the 1990s Governor's Commission began with the knowledge that plans would need to be changed over time. Mr. Wade said plans did change in 2003 and in 2013. Mr. Wade continued today when the discussion centers around exercising the option to purchase more land or building forty to sixty thousand more acres of treatment areas these solutions would need to be brought back before Judge Moreno and tell him that these ideas were not thought of and that would throw all of the plans and solutions that have been currently put in place out and require more negotiation with federal partners and redo everything including going back to the legislature to suspend current plans and seek approval to move in a new direction. Mr. Wade contended that building forty to sixty thousand acres at four ft deep will not accomplish much, resulting in about 240,000 acres of storage while 4.5M acre-feet of water are still going to tide which really does not provide additional value for the amount of effort it would take and going deeper would cost in the billions of dollars due to having to meet dam safety standards. Mr. Wade said people who still refer to the Yellow Book for its guidance on the amount of necessary storage is like looking at the golden calf and the Yellow Book really no longer exists since those plans have been modified through adaptive management for the last twenty years. Mr. Wade said today it is flow equalization basins (FEBs) that are wanted and presentations given by the Park and the USACE have said an additional 215,000 ac-ft and they are where they want to be if Modified Water Deliveries, Restoration Strategies and the Central Everglades Planning Project (CEPP) are completed. Mr. Wade said even though there has been discussion on whether or not additional storage is needed, those three plans are the agreed upon solutions. Mr. Wade continued if stakeholders continue to discuss the need for additional storage all the current plans will be set in a tailspin wiping out current District priorities and the \$5.5B and everything else would have to be re-looked at when the state and the federal agencies already have a comprehensive plan in place. Mr. Wade suggested that individuals that still hold the Yellow Book as the current plan should be referred to as the flat earth society because these people are looking at something that came into existence twenty years ago and is no longer relevant.

Melanie Peterson, SFWMD Governing Board Member, agreed with Mayor Vana regarding southern Everglades Restoration as a success story. Ms. Peterson said there are many success stories at the District that do not get told but this one has been a really expensive one. Ms. Peterson went on to say that she does not believe the success of the BMP program has been emphasized enough and feels that without its success and the commitment of those stakeholders, there would not have been such an improvement in lowering phosphorus levels in the southern Everglades. Ms. Peterson said going forward the District has committed \$880M towards Restoration Strategies which is a reactionary program to work around this lawsuit. Ms. Peterson continued it would be great to have a moving, liquid conversation about the future without the constraints of a lawsuit that happened twenty five years ago. Ms. Peterson said maybe this issue could have been resolved differently all those years ago, but hopes it serves as a lesson going forward to avoid litigation by being more communicative.

Joan Lawrence, Department of Interior, said she believes stakeholders are in more of a collaborative phase under the consent agreement. Ms. Lawrence continued in 2012 when the TOC met they agreed to seek interagency collaboration. Ms. Lawrence said no one has any plans to modify the consent agreement and plans are moving forward and even though this is an interim period until Restoration Strategies comes on line. Ms. Lawrence said the trends are good and is a success story that needs to be told. Ms. Lawrence offered kudos to the District, agriculture and the BMP program, and DOI and the USACE have helped by building STA1 East, purchasing the Talisman property which is being used for water quality treatment in Compartments B & C and is being used as part of the A-1 FEB. Ms. Lawrence said stakeholders are all in this together and said when the TOC decides that if an incident occurs resulting in phosphorus levels being above long-term limits for the Park or the Refuge, a meeting is held to discuss the incident and the Principals are consulted and given advice. Ms. Lawrence cited an example of the last time levels appeared to be out of range and said the TOC advised the Principals that since Restoration Strategies is coming on line, no action was needed. Ms. Lawrence said that working together to make progress would continue and the consent decree is an effective and protective tool that keeps all on the right track.

Mike Collins agreed with Ms. Lawrence on the many years of collaborative effort that has led to progress. Mr. Collins said unfortunately an industry has grown up around this issue and dozens of "environmental fundamentalist organizations are trying to out-green each other." Mr. Collins said he has seen an article in a local paper saying that more land is needed for acquisition in the Everglades Agricultural Area (EAA) to protect the water supply in south Florida and this type of information is being presented to county commissions and is showing up in editorial boards and is a violation of the truth. Mr. Collins said there are 700,000 acres of Water Conservation Area (WCA) and many canals that aid in the recharge of ground water for water supply and that water gets cleaned up before it is distributed for public consumption. Mr. Collins said nobody calls people out on this type of advocacy. Mr. Collins said he has witnessed Governing Board Members being abused by constituents with no real knowledge or concern for the resource because they have been told they should be upset because their water supply is at risk. Mr. Collins said if stakeholders and agencies are going to be sincere about fixing these problems the people that are putting out misinformation and misleading information need to be held accountable as much of the advocacy currently taking place is not based on the truth.

James Erskine said the Miccosukee Tribe intervened on this case many years ago and clean water is a value that cannot be negotiated. Mr. Erskine said the Tribe is tied to the Everglades in ways that many Florida citizens do not see so hard work is being done on trying to reveal and share that connection with people outside of the Tribe so that a better understanding can be garnered. Mr. Erskine said there are some sentiments in some language in the settlement agreement that was not highlighted in Mr. Burns' presentation including language that points to an 80% reduction in phosphorus in the Everglades Protection Area (EPA) and an 85% reduction in the Refuge. Mr. Erskine said those numbers represent values that are tied to WCA3 and WCA1 and WCA2 and the Tribe notes restoration to the Everglades as a whole as important, not just the Refuge or the Park. Mr. Erskine said moving forward in a spirit of collaboration, a solution can be found to move water south and the District has

recently discovered a way to move an additional 400,000 ac-ft south through the STAs. Mr. Erskine said the indication that small amounts of phosphorus are trivial or the indication that water cannot be moved south due to small amounts of phosphorus have been proven untrue. Mr. Erskine said water is moving south and small amounts of phosphorus are being captured. Mr. Erskine continued the success story is huge and the Tribe would like to build on that success with the western basins which is an area where phosphorus is still an issue. Mr. Erskine cited the L-28 interceptor canal as a deliverer of a huge amount of phosphorus in a small volume of water directly into WCA3. Mr. Erskine said those impacts are centered on Miccosukee federal lands and is hoping that some of the southern system success can transmit to successes in this region. Mr. Erskine concluded it is important to look at the Everglades as a whole and the monitoring and compliance stations are important to track what comes out of the STAs and measure STA performance.

Kurt Harclerode stated there is no consent order for the estuaries. Mr. Harclerode asked how many times the force majeure clause had been used as there have been numerous very wet years that have resulted in the estuaries being blown out and no water can be moved south. Mr. Burns responded force majeure has not been raised although following the 2004 hurricanes there was an excursion into the limits of the Refuge when 100 metric tons of phosphorus went through that was rejected by the Court. Mr. Burns informed members that force majeure applies to events that are beyond all knowledge and foreseeability so it is difficult to apply other than in a situation when something extraordinary occurs.

Shelley Vana said that the environmental fundamentalists Mr. Collins termed may be better described as “purists.” Mayor Vana stated when it comes to trying to find a solution, a balance must be found between stakeholders. The Mayor said getting the message out regarding what is currently happening and the hard work and collaboration that is taking place is a good message to get out. Mayor Vana said we must get passed the winner / loser situation and currently the estuaries can be categorized as losers, but if compromise and understanding is achieved there will be no losers. Ms. Vana said that the next step after getting the message is out is finding where to make value judgements. The Mayor said that no one can afford to be a purist when trying to collaborate on projects like these.

Tabitha Cale said there has been discussion concerning needing additional storage in the system and the Governor’s 20 year plan lists storage needs north and south of the Lake and the UF Study showed additional storage is needed over the amount called for by the Governor. Ms. Cale said it is unfair to state that looking for additional storage in the system will throw off all current plans. Ms. Cale said when Audubon looked at CERP it was originally thought that a lot more storage would come from aquifer storage and recovery wells (ASR) and it appears that there are areas that are not ideal for that technology so that initial storage needs to be replaced with other storage opportunities in the system. Ms. Cale said it is known that at times there will be a continued sacrifice of one part of the ecosystem for another when storage capacity does not exist and water levels cannot be raised in the Lake and water cannot be dumped into the estuaries and enough water is being moved south. Ms. Cale continued system constraints are known but if all stakeholders continue to work together to lessen those constraints, move forward with the projects that are already planned and work together

to identify additional storage opportunities, as that is the missing piece, in making all of CERP work the way it is designed. Ms. Cale said Audubon is looking forward to working with all stakeholders to find solutions and locate the most appropriate areas to add storage as these discussions evolve. Ms. Cale stated that it is known that there have been some great strides in reducing the level of phosphorus south of the Lake and BMPs have been effective in making important improvements in reducing nutrient levels and would like to see that success modeled north of the Lake. Ms. Cale said there are heavy nutrient loads in the north end of the system and there does not seem to be a similar downward trend due to different regulatory conditions and Audubon is keeping an eye on the north end of the system because they know it plays an important role downstream.

Bubba Wade said one of the strategies discussed in the Governor's Commission was the lack of public education in what occurs in the restoration process but this did not gain momentum. Mr. Wade said the public is uneducated in regards to the discussions that take place among water policy stakeholders. Mr. Wade continued the District conducted an exercise ten years ago that had staff going into different communities to ask where restoration should be headed, and what was found was unless there were some WRAC members in the group, there were some very farfetched ideas and a visible lack of knowledge. Mr. Wade said the public believes what they are saying even if they have the facts wrong because they do not understand the system. Mr. Wade suggested that District staff put together a presentation outlining the history, constraints, and strategies for moving forward to be used to educate people that will not need to change. Mr. Wade said his understanding of force majeure as provided in the consent decree is that it is built into the system because if an act of God occurs such as hurricanes or massive floods, it allows the STAs to be bypassed and water can be moved into WCAs, so if major events occur the operational plans of the STAs are already equipped to let water move without being treated. Mr. Burns agreed with this statement if the discharge permits provide for that.

Mark Generales said, as a west coast resident, Mayor Vana's comments are accurate as they relate to the general public's knowledge. Mr. Generales said people where he lives denigrate the District and its efforts and based on information that he has gained over the last few months, much of that information is inaccurate and in some cases purposefully misleading. Mr. Generales said that currently the estuaries are in trouble and although he would not want to see estuary improvements occur at the expense of the Everglades, it appears that the Everglades may be being restored at the expense of the estuaries. Mr. Generales stressed the importance of adding more storage, especially north of the Lake, but stated the efforts that have been made in reducing phosphorus south of the Lake from 200ppb down to 10ppb is an extraordinary story that does not seem to have been told on the west coast. Mr. Generales continued there is more that can be done to get the story out to the public as strongly as possible through the press and any other areas that are necessary. Mr. Generales suggested getting staff out to make speeches and gain more coverage because outreach is not occurring at the level it should.

Joe Capra asked why sampling cannot be automated by way of telemetry systems or other means. A WRAC member responded that the technology is not available and Mr. Burns said that the monitoring locations in the Refuge are extremely remote and require

a great deal of care when extracting samples so as not to stir the sediments so a true reading can be taken. Mr. Capra commented about using existing research to move water south and disagreed with Mr. Wade's assessment that new research would have to occur if plans changed to include purchasing more land for storage as the data already exists. Mr. Capra said he had a hard time relating to the twenty five years of being involved in the process when the presentation states that the standards used to formulate the plan were adopted in 2004 based on research and it does not appear that enough has been done in that time frame but made an exception for the 2008 recession and recovery. Mr. Capra asked between 1992 when the problem was admitted to and the decision was made to do something about it, how long did it take to complete the STAs so that it could be evaluated for effectiveness and proper research data. Mr. Wade said the Act required all research to be completed and the standard set by 2003, so research was ongoing from 1992 until 2003 and then legislation was put in place in 2004. Ms. Miedema said the EFA was approved by the legislature in 1994 and prior to that the Everglades Nutrient Removal project was started and was a precursor to STA1W and was fully funded by farmers in the EAA, so a lot of activity began occurring in the early 1990s. Mr. Burns said the STAs began to come on line between 1997 beginning with STA6, then STA 3/4 in 2003 and the latest, STA1E, being completed in 2005. Mr. Burns said once the consent decree was entered the District transformed from a water drainage district to an Everglades expert which resulted in the hiring of numerous PhDs and was a massive shift in approach and responsibilities, so it took years to develop how to construct an STA, how to model and study them, evaluate phosphorus removal techniques and other world-wide cutting edge restoration aspects. Mr. Capra closed by saying that since this data is being used world-wide it is important to provide avenues for education and adding new features such as storage components or conveyance structures will not cause the research to have to be re-done instead new technologies and new studies can enhance existing research.

Karson Turner stated that sometimes water policy stakeholders operate in a silo or a vacuum. The Commissioner addressed Mr. Generales by stating that it is ironic that someone from Sanibel on the west coast feels that misinformation is being widely disseminated in a fundraising effort and shared the sentiment. Commissioner Turner said he has gone over to the west coast and picked up individuals to provide personal tours of Lake Okeechobee over a dozen times in an effort to provide an education regarding this issue. The Commissioner said it is important to engage the public's five senses, for instance, when discussing turbidity it can be explained that the water is dirtier, but the constant recounting of polluted water is misleading as the issue is simply not enough freshwater or too little freshwater in an estuarine system. Commissioner Turner said that he agrees with many of the opinions that have said more public outreach must be done to tell the story and has been saying that since he joined WRAC. Commissioner Turner cited Phil Flood as an example of staff who comes over to Hendry County and listens to the concerns of the citizens and tries to put out fires and believes that Libby Maxwell works in the same capacity for her area of responsibility. The Commissioner stated that staff like this handles these situations in a manner that easily translates to the average layperson. The Commissioner referenced a recent opinion editorial (op ed) written by Senator Graham that was full of misinformation as it discussed protection of the freshwater system. Commissioner Turner said the television ads and sound bites that promote protecting the water supply use women, children and dolphins to spread misinformation while important Governing

Board decisions do not receive any press. Commissioner Turner said the massive effort that has taken place to move water south, the constraints posed by the consent decree, and the success of removing so much phosphorus out of the system is a story that has yet to receive public acknowledgement and a marketing plan is needed that simplifies these facts so that consumers can easily grasp the concepts. Commissioner Turner said that the public should be able to pull up a simple YouTube video similar to what the Everglades Foundation released on estuaries that explains where restoration started and why, the current status of restoration activities, the costs associated with restoration, and the constraints to system operations including the consent decree. The Commissioner addressed Mr. Capra's comments regarding the recession and not much progress being made between 2004 and now and recalled a \$1.74B land purchase that likely threw the agency off balance during that time especially with OM and having to realign agency core initiatives. Mr. Turner mentioned several projects that had to be redesigned in order to fit into the newly reduced budget including A1 which was supposed to be a \$269M project that would have provided monumental benefits to the region that has been reduced to a less than \$80M project that has been pared down greatly. The Commissioner said that a marketing piece needs to be developed so that the general public can understand, because a disservice is being done by not informing people of the work that has been done with tax payer dollars.

Mike Collins addressed Mr. Capra by stating that he provided the twenty five year number. Mr. Collins said twenty five years ago the District was heavily invested in reducing nutrients and during this time the BMP program was being implemented and land was being acquired and there was nothing in the literature that directed staff how to go about this. Mr. Collins continued much of the research that existed at the time was theoretical in nature and ended up being used as a basis in the settlement agreement and all of that ended up being inaccurate. Mr. Collins said by 2004, the District was already in construction on over 40,000 acres of STAs so lots of things were being done. Mr. Collins said during this time there were lots of serious questions on whether or not STAs were the best way to reduce nutrients or whether chemical dosing would be a better way to achieve 10ppb. Mr. Collins said that many people may still believe chemical dosing is the best way and thought that St. Johns River Water Management District does use alum to reduce phosphorus. Mr. Collins said the decision was made in the Everglades that the downstream impact potential of alum and the removal of all of the phosphorus in the system were too great to be risked. Mr. Collins said when you stand on the shoreline of STA 3/4 and the curvature of the earth hides the other side, it is hard to say that not enough has been done. Mr. Collins explained that all of the activity regarding nutrient removal and the agency shifted from being strictly a flood control District to restoration initiatives began twenty five years ago and although it took a while to get the wheels turning, twenty five years is an accurate depiction of the timeline. Mr. Collins said the Yellow Book only ever anticipated if all fifty six projects actually got built they would reduce the negative impacts to the estuaries by thirty percent. Mr. Collins said the biggest mistruth that currently exists is that if all the Yellow Book projects are complete, it will eliminate all negative impacts to the St. Lucie and the Caloosahatchee. Mr. Collins said that goal is impossible and the main objective was to take the most negative impacts – the ones with the longest negative impacts on those estuarine environments – off the table or round off the corners on all of the bad stuff. Mr. Collins said, as Commissioner Turner pointed out, there are lots of well-funded

advocacy groups that are telling the public that if certain projects are completed, the negative impacts to the estuaries will completely stop, which is simply not the truth.

James Humble stated that at the most recent SFERTF meeting it was not pointed out that damage is being done to south Dade agriculture as a result of water moving south. Mr. Humble said he is continually amazed that the Task Force does not want to address this issue. Mr. Humble said moving water south would be nice if all of the conditions for discharging water had not been changed once the water gets south. Mr. Humble said south Dade farmers are stuck with all of the excess water because the Park does not want it and there is no place to discharge due to the change in the rules and the Task Force should take up this issue at one of its meetings.

### Public Comment

Jacqui Thurlow Lippisch asked Mr. Burns to explain how phosphorus limits are set at 10ppb and many of the numbers are lower, but the District can be held responsible for an exceedance at 7.2ppb. Ms. Thurlow Lippisch also asked why nitrogen was not a part of the consent agreement. Ms. Thurlow Lippisch told attendees that as she searched for an education on these subjects, the best book she came across was called River of Interest by the USACE, and encouraged everyone to read it. Ms. Thurlow Lippisch encouraged USACE to write another installment of that book and lobby the legislature to include it as part of the student curriculum. Mr. Moran reminded the public that public comment is not typically for question and answer but allowed it in this instance. Mr. Burns responded there are two different numeric requirements for phosphorus in place one comes from the numbers generated by the consent decree equation based on the elevation of water in the Refuge which has existed since 1994. Mr. Burns continued there was the adoption of a numeric water quality standard by the Florida Department of Environmental Protection (FDEP) which embodies the 10ppb and is based on all of the research and data points in WCA3 and is based on the amount of phosphorus that begins to produce an imbalance of flora and fauna. Mr. Burns said both numeric criteria are still on the books in the consent decree and when there is an exceedance, the phosphorus limit generated by the elevations in Appendix A or B and the 10ppb requirement are both reviewed. Mr. Burns said that the Special Master has yet to address these two criteria and direct the agency on which one to go by, but the TOC reviews both. Mr. Burns said he did not know why nitrogen was not included in the consent decree. Peter Doering, Section Administrator, Coastal Ecosystems, SFWMD said the focus is on phosphorus in freshwater systems because it is the nutrient that controls plant growth and is in the shortest supply. Mr. Doering said more phosphorus in the system produces more plant growth. Mr. Doering said in the marine system that Dr. LaPointe works in, nitrogen is in shorter supply, so it is more important in marine systems.

Martha Musgrove, Florida Wildlife Federation (FWF), thanked Mr. Burns for his presentation and suggested a similar presentation take place on the Gold lawsuit. Ms. Musgrove said when the program was initiated it was called the Kissimmee Okeechobee Everglades program because everyone was thinking of an entire system politically and now that there is a deep commitment to the work, there is a need to be reminded that each part is connected to the other. Ms. Musgrove said the Yellow Book is not a dead instrument and very precisely designated projects that would be needed

and have been incorporated into CEPP because so little headway was being made in getting passed Kissimmee and Lake Okeechobee projects. Ms. Musgrove said the Lake will be a huge problem within the next few years if some focus is not returned to it. Ms. Musgrove said that people will notice that projects were not called Everglades Restoration projects unless they occurred in the Everglades – so that is why you have Lake Okeechobee, Kissimmee River Restoration and the Picayune Strand Restoration was on a different project track on the west coast. Ms. Musgrove said WRAC was integral to getting information out in the region and this presentation helped to provide an understanding into how the projects have evolved through history and what needs to be done to get beyond the current status. Ms. Musgrove said land acquisition should be a big part of the conversation and the former Governing Board recognized this by their approval of the \$1.74B land acquisition and now it is important to use it.

**5. Adaptive Protocols Update - Cal Neidrauer, Chief Engineer, Hydrology and Hydraulics Bureau, Operations, Maintenance and Construction Division, SFWMD**

WRAC Member Comment

Kurt Harclerode appreciated staff efforts to look at what can be squeezed out of the LORS 2008 regulation schedule and said moving water south this year has been a benefit to west coast communities as well as the releases have helped salinity levels remain in good standing. Mr. Harclerode said the seasonal approach is something Lee county would like to see continue. Mr. Harclerode said he hopes the USACE will take into consideration the algal blooms that are occurring currently because if flows are cut off now, the algal blooms will increase due to stagnant water. Mr. Harclerode said he is glad the Nicodemus Slough project has come on line, but when discussing storage the most storage can be achieved in Lake Okeechobee. Mr. Harclerode said until there is some change in the regulation schedule, after Herbert Hoover Dike Rehabilitation is complete, allowing for more flexibility for water storage in the Lake, looking elsewhere for storage will not yield a great return.

James Erskine asked Mr. Neidrauer to explain the slide that demonstrates actual vs a simulated model run. Mr. Neidrauer said the assumptions in the simulation are basically the same assumptions that were used in the modeling for the Environmental Impact Statement (EIS) that led to the regulation schedule. Mr. Neidrauer explained the release guidance for the estuaries has ranges of flows for the subbands and the modeling assumes the upper limit of those releases, so the simulation is saying make the maximum releases that are authorized by the schedule. Mr. Neidrauer said for releases south, the constraints when the EIS was developed was water quality and how much could the STAs treat and at that point there were fewer acres of STA compared to now and the water quality from Lake Okeechobee was a lot worse due to Hurricane Wilma in 2005. Mr. Neidrauer said that water quality constraint was a planning assumption for the EIS that was applied to the simulation today to give an idea of how that would affect releases south vs releases to the estuaries. Mr. Erskine said taking the releases south as an example, the actual of WCAs and L-8, the actual is listed at 506kaf and the simulated at 133kaf and asked if that was an additional 133kaf because if assumptions are being maximized in the simulation shouldn't the actual releases follow the simulated releases. Mr. Neidrauer responded that the releases south are constrained in the simulated and is not an additional amount but a relative comparison



to the actual so the actual was half a million kaf south and the simulated only moved 133kaf south due to downstream constraints. Mr. Erskine said if all of this effort and technical thought is being put into how to better manage releases and get better performance in moving water south, why is the simulated showing lower Lake levels throughout that range than the actual Lake level. Mr. Neidrauer said the Lake levels are lower because the estuaries got hammered in the simulation and the main reason the redline is produced is to provide a guide for where to steer when being flexible so that operations do not get too far off course from the EIS because many stakeholders want to see performance similar to what was achieved in the EIS.

Albrey Arrington stated that he sees the intent that is being shown and the point that caught his attention was roughly 400kaf of water did not get discharged to the St. Lucie and Caloosahatchee and you do see the 500kaf that is going south so it appears that District staff and the USACE have been thinking and working diligently to be more flexible and the table demonstrates this movement and that is a nice job.

Mark Generales asked if the District is not looking into further discharges to the Caloosahatchee because salinity is where it needs to be. Mr. Neidrauer said no, in this case staff is conducting a very simple simulation to try and see where we would be if the release guidance rules were followed the same way they were followed in the EIS so this is independent of the salinity issues that were addressed in the latter part of the presentation. Mr. Neidrauer said salinities seemed to be in range at all of the sites when he read the report on Tuesday. Mr. Generales said if Mr. Harclerode is right and there are already algal bloom issues at Franklin Lock and no further freshwater will be released because salinity is in range, how will the situation get dealt with and who will tell the story because this issue will make the papers and become a big deal in the community. Mr. Kivett said at this time of year it is always a very similar kind of conversation regarding preserving water in the late part of the dry season in case a really bad circumstance arises so there is a great effort to want to balance things where they are because the system is stable. Mr. Kivett continued, in Florida, weather can change causing this balance to be destroyed rather quickly so sometimes it is better to allow for a little degradation now in order to prevent massive damage later at the end of the dry season and that is what AP is designed to do. Mr. Kivett said the USACE does take all information into account and receives quite a bit of information from west coast sources and scientific input regarding regional conditions during the Periodic Science call and District staff also adds perspective and the decision is made to either continue releases or to make a different decision under the provisions in LORS. Mr. Generales wanted to know how the public receives information regarding algal blooms from the District and the USACE because the issue will be in the local papers.

Mary Ann Martin said algae blooms are a part of south Florida whether they occur in a river or a lake or another water body. Ms. Martin said Lake Okeechobee is not in existence for water supply and it was a lake before any one was here and any industry was built around it and remains a beautiful lake today. Ms. Martin said once people start thinking of the Lake as a resource for water supply then it becomes a reservoir which is like putting a knife in the heart of the Lake and destroying the habitat. Ms. Martin reminded stakeholders that there needs to be shared adversity and everyone has to suffer a little bit at times in order to protect the Lake and the water resources of the region.

Tabitha Cale appreciated Ms. Martin's comments and said Audubon is lucky to have Dr. Paul Gray on staff who has a deep understanding of Lake ecology. Ms. Cale said Audubon views the Lake as an important part of the Everglades ecosystem and owns sanctuary lands in the area. Ms. Cale said the marshlands surrounding the Lake provide habitat for Snail kite nesting and a food source for wading birds and it does seem like Lake management has greatly improved and the Lake is not being considered as a reservoir, but an important part of the greater Everglades ecosystem. Ms. Cale appreciated all of the staff that works to balance the needs of competing interests and manage adverse uses. Ms. Cale said Audubon is also glad to see the Nicodemus Slough project come on line as it provides some interim storage and is glad that C-43 is being worked on which will also help. Ms. Cale said one of the concerns of Audubon is when drought conditions are present and how the District balances the needs of different users under severe drought conditions. Ms. Cale said Audubon wants to make sure the needs of the wildlife in the ecosystem are taken into account during these times.

### Public Comment

Drew Martin, Sierra Club, appreciated Ms. Martin's comments regarding the Lake and thinks the District needs to consider that historically neither the Caloosahatchee nor the St. Lucie River systems were part of the Lake Okeechobee ecosystem. Mr. Martin said it is dangerous to rely on the Lake as part of that system during dry times so those systems should be operated independently so the Lake is not depended upon to maintain salinity targets, but managed as a lake should be. Mr. Martin said the real problem is when there is too much water and the estuaries get damaged and that is what needs to change operationally. Mr. Martin said water should not be dumped and that is the reason a storage system is needed south of the Lake so AP can be managed so water goes south of the Lake not into the estuaries. Mr. Martin said it is important to know what percentage of AP is about water storage for agricultural use and what percentage is about protecting the environment and what are the driving factors because if AP is solely about water storage, that needs to change.

Mayor Phillip Roland, Mayor of Clewiston, disagreed with Mr. Martin by saying he did not want to discuss south of the Lake as water needs to be stored north of the Lake. Mayor Roland also disagreed with Mr. Harclerode regarding his comments about storing more water in the Lake because if water levels are too high in the Lake it causes large waves that will uproot the littoral zones damaging fish habitat, cattails and bulrush. The Mayor said the Lake would be ruined if more water was stored there and the Lake levels are right at this time with levels at 12.5ft to 15ft. Mayor Roland said storage and STAs north of the Lake would allow for treatment of water coming in to the Lake and reduction of damaging discharges to the estuaries.

Bob Ulevich, Indian River Citrus League - Alternate to Doug Bournique), mentioned in one of Mr. Neidrauer's slides a reference was made to the St. Lucie estuary basin and 130,000 ac-ft of contribution. Mr. Ulevich said he thought the number was higher than that in an earlier presentation given by District staff. Mr. Ulevich continued in the research that has been done on water farming and the regional attenuation the number given today of contributing from the Upper East Coast (UEC) system seems low. Mr.

Ulevich said with his past experience he has found that the use of average for operations should not be used and he now manages for extremes and cited an example: if two inches of rain fall in the early part of January and two inches at the end of February and someone asks how was the rainfall, the answer is average. Mr. Ulevich continued that even though there were fifteen days without rain, the answer is still the rainfall was average. Mr. Ulevich said to take some cautionary advice regarding relying on average numbers to use common sense when it comes to operating the system.

**6. 2016 Upper East Coast Water Supply Plan Update - Mark Elsner, Section Administrator, Water Supply Bureau, Water Resources Division, SFWMD**

WRAC Member Comment

Mark Perry, Florida Oceanographic Society, asked if there had been in connection in the study regarding the ASR Regional Study that was recently released based on potential impacts on both the ASR programs and the Upper East Coast Water Supply Plan (UECWSP). Mr. Elsner responded as part of the UEC modeling effort, the ASR Regional Study was not included and there is a separate effort regarding the regional study on ASR.

Neale Montgomery said Mr. Elsner identified all of the groups that were going to be included to identify needs and asked when population and agricultural needs are considered who will be considered the definitive authority. Mr. Elsner answered that ultimately that issue is worked out through the planning process and staff is directed by statute to use information from the University of Florida Bureau of Economic and Business Research as a starting point and then staff works with the individual local governments and utilities to determine how the population is distributed over a county using BEBR numbers as controls. Mr. Elsner said a couple of years ago the legislature directed the Florida Department of Agriculture and Consumer Services (FDACS) to begin developing estimates and projections and this will be the first water supply plan that is being developed using those numbers and staff are working closely with FDACS and meeting with local industry officials.

Doug Bournique, Indian River Citrus League, said that he is hopeful that there will be some dispersed water storage funding appropriated by the legislature this session. Mr. Bournique said he is working to coordinate a meeting between Kevin Powers, Blake Guillory, Ann Shortelle, Secretary Stevenson to renew the effort to coordinate to locate sites for storage in the north end of the system and he is planning to encourage the St. Johns Water Management District to locate substantial sites for storage in his basin that can coordinate with the northern basin in the SFWMD and a reconnection plan so that water that is currently going into the Lagoon can be held to supply water to the citizens of the Treasure Coast.

Joe Capra said Mr. Elsner pointed out that the FPL cooling pond in the UEC is the only water storage but there are many other activities going on that assist with storage including water farming, the C-23/C-24/C-25 projects that the District is working on, and the City of St. Lucie has purchased a large parcel of land to help with storage, so local efforts of the municipalities and utilities should be recognized. Mr. Capra said that some

of those local entities should present at WRAC so that members are aware of their participation and support of storage initiatives and possibly influence other local government agencies to lend their support as well.

Tabitha Cale asked if the Floridan aquifer in the area is influenced by saltwater intrusion from sea level rise. Mr. Elsner said staff did look for that and the Floridan does outcrop into the ocean but because of its depth and the current water quality, a significant impact has not been found. Mr. Bournique said it is so salty along the coast for their groves that it burns the skirt of the trees and unless it is blended with surface water it is unusable – it is so salty that it barely keeps the trees alive in the St. Lucie eastern Indian River County and eastern Martin.

#### Public Comment

Drew Martin, Sierra Club, spoke to the importance of conservation and the enforcement of existing conservation measures.

Bob Ulevich said people are overlooking the fact that we are preserving a natural resource and programs such as alternative water storage such as water farming preserves the resource.

### **7. Staff Reports**

Len Lindahl, Assistant Executive Director, provided an update on the efforts to relieve flooding in south Miami-Dade. Mr. Lindahl said staff provided a presentation at the Task Force, the Finding of No Significant Impact (FONSI) to begin Increment 1 testing was signed last week, and Increment 1 can begin in mid-July. Mr. Lindahl said there will be a follow up report within the next several months with some more detail. Ms. Montgomery asked if there was any short term relief provided to the farmers while these longer term activities are being worked through. Mr. Lindahl told her that interim relief is being evaluated throughout the process. Kim Taplin, USACE, commented that the USACE anticipates that conditions will be present to allow for the test to proceed, meaning that enough water is available in northeast Shark River Slough to beyond .8ft at a certain gauge which will trigger the test but that area has been below rainfall so if the test does not begin in mid-July it will be due to uncondusive conditions.

Tabitha Cale said it is unfair to suggest that agriculture and the farmers in south Dade have not had enough of a presentation of their concerns about flooding as there have been multiple presentations at the Governing Board, Tom MacVicar gave a presentation and a gentleman representing the Miami-Dade Agricultural Bureau also presented at WRAC. Ms. Cale said one of the compromises included in the first Increment was to provide additional flows from S197 which was a specific request by south Dade farmers. Ms. Cale said Audubon has been raising concerns that this directly conflicts with the restoration of the ecosystem because that will pull water away from Taylor Slough and reduce freshwater getting Florida Bay but recognizes that the goal at the end of the day is to have an operating plan after these increments that will benefit the ecosystem and balance the needs of the user so that the infrastructure that taxpayers have heavily invested in can be operated. Ms. Cale said these should operate in a way that will deliver the benefits that have been promised and outlined in the goals and objectives

set forth in the plans. Ms. Cale said Audubon appreciates being a part of the Project Delivery Team (PDT) process which was very inclusive of gaining input from all of the stakeholders which is part of the reason she requested a presentation on the ecological objectives of these increments because that story is getting left out. Ms. Cale said she understands the concerns the farmers have but feel they have been more than fairly addressed.

Ray Scott, Florida Department of Agriculture and Consumer Services (FDACS), asked for a presentation on the ASR Regional Study at the next WRAC meeting.

## **8. General Public Comment**

Drew Martin agrees with Senator Negron's efforts to infuse \$500M into the legislative budget to purchase lands for storage and conservation and hopes the Governing Board supports that position. Mr. Martin said he thinks Amendment 1 was intended by the voters to be used to purchase land for conservation purposes and 75% of the voters voted for that and the legislature needs to accept that. Mr. Martin said the amount of nitrogen and phosphorus going into the environment is huge because of the changes in the way farming is done starting in the 1940s. Mr. Martin said there is so much nitrogen in the system now that it gets in the rain clouds and impacts national parks. Mr. Martin said people need to be aware that there is a dead zone in the Gulf caused by farming in the Midwest so there are improvements in farm methods that can be made. Mr. Martin said if there is some way that the nitrogen and phosphorus that has been sequestered in the EAA can be reused that would be a perfect solution and he knows that IFAS and other universities are currently working on this.

Rick McMillan, USACE, said the relationship between the USACE and the SFWMD has improved greatly over the last year due in part to Mr. Kivett and his team's willingness to work with USACE staff and their reciprocating intent. Mr. McMillan said in terms of outreach, the Periodic Scientist call with the public and scientists every Tuesday afternoon, the Tuesday morning staff call, and the Wednesday operations call all aid in getting the message out to the public regarding releases. Mr. McMillan continued that he is aware of the concerns related to algal blooms at the Franklin Lock and future algal blooms. Mr. McMillan said operations are still in the baseflow and the recommendation will come out later this week and next week could be in beneficial use. Mr. McMillan assured attendees that the USACE takes all information into consideration when making decisions.

## **9. Adjourn**

Mr. Moran announced a WRAC Recreational Issues Workshop will be held on June 15, 2015 at 5:00pm at District headquarters and reminded members there would be no July WRAC meeting so the next WRAC meeting will be held on August 6, 2015 at headquarters. The meeting was adjourned at 12:35pm.